

Regular Session, 2010

HOUSE BILL NO. 1458

BY REPRESENTATIVE LABRUZZO

SCHOOLS/BOARDS: Provides relative to cyberbullying and student codes of conduct adopted by local school boards

1 AN ACT

2 To enact R.S. 17:416.13(C) and (D), relative to student codes of conduct; to provide relative  
3 to a review by a local school board of the student code of conduct; to provide relative  
4 to the purpose of such review and to require certain actions as necessary; to provide  
5 guidelines and a timeline for such review; to provide definitions; to provide relative  
6 to certain notifications to students; to provide relative to the investigation of reports  
7 of certain prohibited actions; to provide an effective date; and to provide for related  
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:416.13(C) and (D) are hereby enacted to read as follows:

11 §416.13. Student code of conduct; requirement; harassment, intimidation, and  
12 bullying; prohibition; exemptions

13 \* \* \*

14 C.(1) By not later than January 1, 2011, each city, parish, and other local  
15 public school board shall conduct a review of the student code of conduct required  
16 by this Section and amend such code as may be necessary to assure that the policy  
17 prohibiting the harassment, intimidation, and bullying of a student by another student  
18 specifically addresses the nature, extent, causes, and consequences of cyberbullying.

19 (2) For the purposes of this Subsection, the term "cyberbullying" shall mean  
20 harassment, intimidation, or bullying of a student on school property by another

1 student using a computer, mobile phone, or other interactive or digital technology  
2 or harassment, intimidation, or bullying of a student while off school property by  
3 another student using any such means when the action or actions are intended to have  
4 an effect on the student when the student is on school property.

5 D.(1) Beginning on January 1, 2011, and continuing thereafter, each city,  
6 parish, and other local public school board shall require that a student be informed  
7 in writing within ten days after enrolling in school of the prohibition against  
8 harassment, intimidation, and bullying, including cyberbullying, of a student by  
9 another student; the nature and consequences of such actions; and the proper process  
10 and procedure for reporting any incidents involving such prohibited actions.

11 (2) By not later than January 1, 2011, each city, parish, and other local public  
12 school board shall develop and adopt a policy establishing procedures for the  
13 investigation of reports of harassment, intimidation, and bullying, including  
14 cyberbullying, of a student by another student.

15 Section 2. This Act shall become effective upon signature by the governor or, if not  
16 signed by the governor, upon expiration of the time for bills to become law without signature  
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
19 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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LaBruzzo

HB No. 1458

**Abstract:** Requires a local school board to conduct a review of its student code of conduct and amend such code as may be necessary to assure that the policy prohibiting the harassment, intimidation, and bullying of a student by another student specifically addresses the nature, extent, causes, and consequences of cyberbullying. Also defines "cyberbullying" for this purpose, requires certain notification to students, and requires a local school board to adopt a policy relative to the investigation of reports of harassment, intimidation, and bullying, including cyberbullying.

Proposed law requires each local school board to conduct (by not later than Jan. 1, 2011) a review of the student code of conduct mandated by present law and amend such code as may be necessary to assure that the policy prohibiting the harassment, intimidation, and bullying

of a student by another student specifically addresses the nature, extent, causes, and consequences of cyberbullying.

Provides that for the purposes of proposed law, the term "cyberbullying" means harassment, intimidation, or bullying of a student on school property by another student using a computer, mobile phone, or other interactive or digital technology, or harassment, intimidation, or bullying of a student while off school property by another student using any such means when the action or actions are intended to have an effect on the student when the student is on school property.

Provides that a local school board (beginning on Jan. 1, 2011, and continuing thereafter) shall require that a student be informed in writing within 10 days after enrolling in school of the prohibition against harassment, intimidation, and bullying, including cyberbullying, of a student by another student; the nature and consequences of such actions; and the process and procedures for reporting an incident involving the prohibited actions.

Also requires a local school board (by not later than Jan. 1, 2011) to adopt a policy establishing procedures for the investigation of reports involving the prohibited actions.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:416.13(C) and (D))

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Adds proposed law provision relative to providing written notice to students.
2. Adds proposed law provision requiring a local school board to adopt a policy relative to the investigation of reports of the prohibited actions.

#### House Floor Amendments to the engrossed bill.

1. Changes proposed law to require that the review of the student code of conduct by a local school board be conducted by not later than Jan. 1, 2011, rather than by not later than Aug. 1, 2010.
2. Changes proposed law to provide that a local school board must provide certain written notice to students beginning on Jan. 1, 2011, and continuing thereafter rather than beginning with the 2010-2011 school year and continuing thereafter.
3. Changes proposed law to require a local school board to adopt by not later than Jan. 1, 2011, rather than by not later than the beginning of the 2010-2011 school year a policy relative to the investigation of reports involving the prohibited actions.